

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ASSOCIATION OF CONTRACTING PLUMBERS OF THE CITY OF NEW YORK, INC.; PLUMBING-HEATING-COOLING CONTRACTORS—NATIONAL ASSOCIATION; PLUMBERS LOCAL UNION NO. 1, UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA; NEW YORK STATE ENERGY COALITION, INC.; THE PLUMBING FOUNDATION CITY OF NEW YORK, INC.; LICENSED PLUMBING ASSOCIATION OF NEW YORK CITY, INC., d/b/a MASTER PLUMBERS COUNCIL OF THE CITY OF NEW YORK; and BUILDING INDUSTRY ASSOCIATION OF NEW YORK CITY, INC.,

Case No.: 1:23-cv-11292 (RA)

**NOTICE OF MOTION TO  
DISMISS FOR FAILURE TO  
STATE A CLAIM UPON  
WHICH RELIEF CAN BE  
GRANTED – FED. R. CIV. P.  
12(B)(6)**

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant

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**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in support of its motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Defendant City of New York will move in this Court, at 40 Foley Square, New York, New York, on a date and time to be determined by the Court, for an Order dismissing the Complaint in its entirety pursuant to Fed. R. Civ. P. 12(b)(6), and granting Defendant such other and further relief as the Court deems just and proper.


**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's Order dated January 25, 2024 (ECF No. 18), Plaintiffs' opposition, if any, shall be served on March 29, 2024, and Defendant's reply, if any, shall be served on April 19, 2024.

Dated: March 1, 2024  
New York, NY

Respectfully submitted,

**SYLVIA O. HINDS-RADIX**

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